

UNITED STATES DISTRICT COURT

DISTRICT OF SOUTH DAKOTA

CENTRAL DIVISION

FILED

DEC 05 2007

UNITED STATES OF AMERICA,

CR 07-30099

Plaintiff,

vs.

ORDER

TYSON LEROY EAGLE CHASING,

Defendants.

Pending before the Court is Defendant's Motion for Continuance, Doc. 15, requesting a continuance of all dates for a period of sixty (60) days, and the Government has no objection. After consideration of the file in this matter, the Court finds that failure to grant the continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence and further that failure to grant the continuance would deny the public interest in bringing this case to trial in an orderly fashion. Further, the Court finds that the ends of justice served by continuing this trial outweigh the best interests of the public and the Defendant in a speedy trial. For all of those reasons as well as those set forth in the Motion,

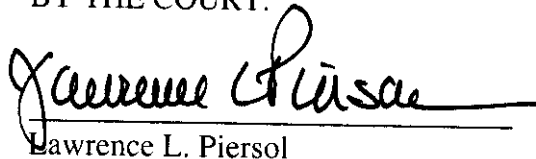
IT IS ORDERED:

1. That Defendant's Motion for Continuance, Doc. 15, is granted.
2. That all other motions as to Defendant herein be filed and served on or before January 9, 2008; that opposing counsel respond thereto on or before January 16, 2008; and that a hearing thereon will be held before The Honorable Mark A. Moreno, in Pierre, South Dakota, on Wednesday, January 23, 2008, at 1:15 P.M.; and the Court will not consider a stock motion for leave to file further motions, however, the Court will consider a motion filed by a party after the deadline if the party can show good cause as to why the motion was late filed.

3. That January 25, 2008, is hereby set as the deadline for submission to the Court of any proposed plea agreement.
4. That all motions in limine shall be in writing and filed, together with proposed instructions, with the Court ten (10) working days before trial.
5. That the jury trial herein for Defendant shall commence in Pierre, South Dakota, on Tuesday, February 26, 2008, with counsel to be present for motions in limine at 9:00 A.M., and with the jury to report at 9:30 A.M.
6. That the period of delay resulting from such continuance is excluded in computing the time within which the trial of the offense for the Defendant must commence, as the Court finds that the ends of justice served by taking such action outweigh the best interests of the public and the Defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).
7. That the dates herein may be modified upon good cause shown.

Dated this 5th day of December, 2007.

BY THE COURT:



Lawrence L. Piersol
United States District Judge

ATTEST:
JOSEPH HAAS, CLERK

BY: 
DEPUTY